

1 EDMUND G. BROWN JR.
Attorney General of the State of California
2 DANE R. GILLETTE
Chief Assistant Attorney General
3 GERALD A. ENGLER
Senior Assistant Attorney General
4 PEGGY S. RUFFRA
Supervising Deputy Attorney General
5 WILLIAM KUIMELIS
Deputy Attorney General
6 State Bar No. 147625
455 Golden Gate Avenue, Suite 11000
7 San Francisco, CA 94102-7004
Telephone: (415) 703-1371
8 Fax: (415) 703-1234
Attorneys for Respondent

9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 **DAVID M. McDONOUGH,**

14 Petitioner,

15 v.

16 **JAMES A. YATES,**

17 Respondent.

C 07-2469 MMC (PR)

**DECLARATION IN SUPPORT OF
EX PARTE APPLICATION FOR
ENLARGEMENT OF TIME**

18
19 I, William M. Kuimelis, declare:

20 1. I am a Deputy Attorney General for the State of California. I have been assigned to
21 represent the warden in this matter.

22 2. The answer to the petition was due December 11, 2007.

23 3. I have been burdened by a substantial case load.

24 4. I was also out of the country for nearly six weeks for a combination of military reservist
25 responsibilities and family obligations.

26 5. I recently learned that I will be deploying to Iraq on December 29th as an Army
27 reservist and have been preparing for my departure. I anticipate filing a response to the petition
28 before my departure. However, if I cannot, my successor will need the full 60 days of my request

1 to file a response.

2 6. I was ill yesterday and unable to come in to the office.

3 I declare under penalty of perjury that the foregoing is true and correct. Executed at San
4 Francisco, California, on December 12, 2007.

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6
7 **/s/ William M. Kuimelis**

8 WILLIAM M. KUIMELIS
9 Deputy Attorney General

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